

AMENDED IN SENATE MAY 8, 2012
AMENDED IN SENATE APRIL 23, 2012

SENATE BILL

No. 1357

Introduced by Senator Cannella

February 24, 2012

An act to amend Section 3060 of the Government Code, relating to public officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 1357, as amended, Cannella. Removal from office: grand jury accusation.

Existing law provides for the removal of public officers for willful or corrupt misconduct in office. Existing law provides that an accusation in writing against any officer of a district, county, or city for willful or corrupt misconduct in office may be presented by the grand jury of the county for, or in, which the officer accused is elected or appointed. Existing law authorizes the impaneling of an additional grand jury under specified circumstances. Under existing law, an accusation may not be presented without the concurrence of a specified number of grand jurors.

This bill would provide that the grand jury presenting the accusation against an officer for willful or corrupt misconduct in office may *also* be the additional grand jury impaneled pursuant to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3060 of the Government Code is amended
2 to read:

1 3060. An accusation in writing against any officer of a district,
2 county, or city, including any member of the governing board or
3 personnel commission of a school district or any humane officer,
4 for willful or corrupt misconduct in office, may be presented by
5 the grand jury of the county for, or in, which the officer accused
6 is elected or appointed. The grand jury presenting the accusation
7 may *also* be the additional grand jury impaneled pursuant to
8 Section 904.4, 904.6, or 904.8 of the Penal Code. An accusation
9 may not be presented without the concurrence of at least 12 grand
10 jurors, or at least 8 grand jurors in a county in which the required
11 number of members of the grand jury is 11, or at least 14 grand
12 jurors in a county in which the required number of members of
13 the grand jury is 23.